

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TEXTPOWER, INC., on behalf of itself and all  
others similarly situated,

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a/ VERIZON  
WIRELESS, AT&T MOBILITY LLC, SPRINT  
NEXTEL CORPORATION, T-MOBILE USA,  
INC., U.S. CELLULAR CORPORATION, CTIA –  
THE WIRELESS ASSOCIATION, CLEARSKY  
MOBILE MEDIA, INC., ERICSSON IPX, MBLOX  
INCORPORATED, OPENMARKET INC.,  
SYBASE, INC., SOUNDBITE  
COMMUNICATIONS, INC., SYNIVERSE  
TECHNOLOGIES, INC., UPOC NETWORKS,  
INC., VIBES MEDIA, 3CINTERACTIVE, L.L.C.,  
and WMC GLOBAL, INC.,

Defendants.

Case No. 12 CV 2729 (AJN)(MHD)

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**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF DEFENDANT  
CLEARSKY MOBILE MEDIA, INC. N/K/A CLEARSKY TECHNOLOGIES, INC.**

Plaintiff TextPower, Inc., pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, hereby gives notice of the dismissal without prejudice of defendant ClearSky Mobile Media, Inc., n/k/a ClearSky Technologies, Inc. from the above-captioned action, the parties to bear their own fees and costs.

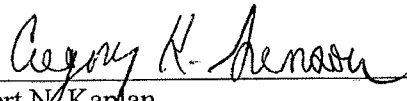
Dated: May 29, 2012

Respectfully submitted,

SO ORDERED: 6/1/12

HON. UNITED STATES DISTRICT JUDGE

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Counsel for Plaintiff TextPower, Inc.

**CERTIFICATE OF SERVICE**

I, Elana Katcher, declare that, on May 29, 2012, I caused a true and correct copy of the foregoing Notice of Voluntary Dismissal Without Prejudice of Defendant Clearsky Mobile Media, Inc. n/k/a Clearsky Technologies, Inc. to be delivered to all counsel of record via the Court's ECF system.

/s/ Elana Katcher

Elana Katcher